IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8055 OF 2004

S.G.Keshwani, .. Petitioner

Vs

Prem Court co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7857 OF 2004

Mrs Kusum Chawan .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7858 OF 2004

Veerchand Darji .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7864 OF 2004

Mr Deepak Mehta, .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7865 OF 2004

Imitiaz Ahmed, .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7866 OF 2004

Bhikhabhai Darji .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7868 OF 2004

U.B.Purohit, .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7870 OF 2004

Dr.J.Pillai, .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7871 OF 2004

Pravin Arora, .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

WITH

WRIT PETITION NO.7873 OF 2004

Michelle Pires .. Petitioner

Vs

Prem Court Co-op.Hsg Soc Ltd
and Anr. .. Respondents

Mr. Jayesh Bhatt, for the petitioner.
Mr Gabrial Pillai, for the respondent-society.

CORAM : D.B.BHOSALE,J.
DATE : 1st October, 2004.

PC:

1. Heard the learned counsel for the parties.

2. Mr.Bhatt, learned counsel for the petitioners in all the writ petitions, on instructions, states that the petitioners are prepared to deposit fifty percent of the amount of the total recoverable dues with the respondent-society, as required under section 154 (2A) of the Maharashtra Co-operative Societies Act, 1960, within six weeks from today and they may be permitted to file revision applications before the Divisional Joint Registrar, Mumbai and their revision applications be entertained without entering into an issue of limitation, with further direction to dispose them of within timeframe. Mr Pillai, learned counsel for the respondent-society has no objection for allowing the petitioners to deposit fifty percent of the amount of the total recoverable dues and on their depositing the amount, for allowing them to file revision applications

before the Divisional Jt. Registrar. He further states that the fifty percent amount to be deposited by all the petitioners shall be kept separately and it shall not be utilised for any purpose whatsoever. The statements made by the learned counsel for the parties are accepted. In view of this, all the writ petitions stand disposed of by the following order.

(i) The petitioners to deposit fifty percent amount of the total amount of the recoverable dues with the respondent-society within six weeks from today. On depositing the said amount, liberty to the petitioners to file revision applications before the Divisional Jt Registrar within a week thereafter. If revision applications are filed, same may be entertained and decided on merits in accordance with law without entering into an issue of limitation.

(ii) The respondent-society shall keep the fifty percent amount deposited by the petitioners separately and shall not utilise the same for any purpose whatsoever till the disposal of the revision applications.

(iii) The Divisional Joint Registrar, Mumbai, shall decide revision applications as expeditiously as possible and preferably within a period of six months

from the date of filing of revision applications on merits in accordance with law.

(iv) Needless to say that the deposit of the fifty percent amount as required under section 154 (2A) shall be without prejudice to the rights and legal contentions of the petitioners.

(D.B.BHOSALE, J.)